



County of Los Angeles  
Department of Public Social Services

Bryce Yokomizo  
Director

May 5, 2003

TO: Each Supervisor

FROM: Bryce Yokomizo, Director

**SUBJECT: APRIL 1, 2003 BOARD MOTION - FOOD STAMP AND CalWORKs BENEFITS FOR FAMILIES OF MILITARY PERSONNEL SERVING ACTIVE COMBAT DUTY**

As instructed in your April 1, 2003 Board motion, this is to provide a report on my Department's efforts to ensure that families of military personnel serving combat duty in the Iraq War retain Food Stamp and CalWORKs benefits. My Department has reviewed current State and federal law and regulations and consulted with the California Department of Social Services (CDSS) and the Chief Administrative Office (CAO) on this issue.

### **Food Stamps**

Federal law requires combat and hazard duty pay to be counted as income in determining initial and ongoing eligibility for Food Stamps. Unfortunately, the State has no authority to enact a law or change regulations to exclude combat and hazard duty pay in determining Food Stamp eligibility. As a result, a change in federal law is needed to solve this problem.

My Department has drafted proposed federal bill language to exclude combat and hazard duty pay in the determination of Food Stamp benefits (see attachment). The legislative proposal has been cleared by the CAO, and CDSS concurs that enactment of this change would eliminate the loss or reduction of Food Stamps due to combat duty. We have submitted this proposal to the U.S. Department of Agriculture (USDA). Based on the response from USDA, we will then determine with the CAO the best strategy for pursuing this federal legislative change.

### **CalWORKs**

Far fewer members of the military qualify for CalWORKs than for Food Stamps, independently of the impact of combat and hazard duty pay. Even the lowest base salary for enlisted military personnel - \$1,150/month - would almost always disqualify a new applicant from receiving CalWORKs. However, a CalWORKs participant who enlists in the military could retain eligibility to a partial CalWORKs grant, depending on the size of the family and the presence of any other income. Based on a review of the CalWORKs caseload, we have determined that a very small number of CalWORKs parents are serving in the military.

Each Supervisor  
May 5, 2003  
Page Two

Since CalWORKs eligibility standards are established by State law, treatment of combat and hazard duty pay for CalWORKs could be modified through State legislation. Prior to seeking State legislation to change CalWORKs, we plan to pursue federal food stamp legislation to exempt combat and hazard duty pay. A change in federal Food Stamp law would facilitate the subsequent legislative change in CalWORKs.

I will provide your Board with a report on our progress in 30 days.

BY:ve

Attachment

c: Chief Administrative Officer  
County Counsel  
Executive Officer, Board of Supervisors  
Auditor Controller

**PRESERVING FOOD STAMPS FOR FAMILIES OF MILITARY PERSONNEL  
SERVING IN COMBAT  
PROPOSED AMENDMENT TO THE FOOD STAMP ACT**

**PROPOSED SOLUTION**

Exclude hazardous duty incentive pay and/or imminent danger pay for combat duty in the United States Armed Forces for the purpose of determining eligibility for Food Stamps, by amending section 5(d) of the Food Stamp Act of 1977 [7 U.S. Code Section 2014(d)] to add the following category of excluded income:

*(19) any hazardous duty incentive pay and/or imminent danger pay/hostile fire pay for service in the United States Armed Forces.*

**STATEMENT OF PROBLEM**

The income of deployed military personnel is considered to be available to their Food Stamp household. As a result, their income, including combat pay, is used in the calculation of Food Stamp benefits. The additional income which military personnel receive while in combat may result in the loss of Food Stamp benefits and thereby create an added burden for families of military personnel assigned to combat duty. The proposed language would resolve this problem by excluding the special pay for military personnel on combat duty from the determination of Food Stamp benefits.